



1621

PATENT
0020-4863PRECEIVED
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IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Tatsuo NAKADA et al. Conf.: 5716
Appl. No.: 09/831,598 Group: 1621
Filed: June 6, 2001 Examiner: E. PRICE
For: AZEOTROPIC COMPOSITION OF 1,1,1,3,3-PENTAFLUOROPROPANE AND 1,1,1-TRIFLUORO-3-CHLORO-2-PROPENE, PROCESS OF SEPARATION AND PURIFICATION USING THE SAME, AND PROCESS FOR PRODUCTION OF 1,1,1,3,3-PENTAFLUOROPROPANE AND PROCESS FOR PRODUCTION OF 1,1,1-TRIFLUORO-3-CHLORO-2-PROPENE

LARGE ENTITY TRANSMITTAL FORM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 15, 2003
(Monday)

Sir:

Transmitted herewith is a Reply to Unity of Invention Requirement in the above-identified application.

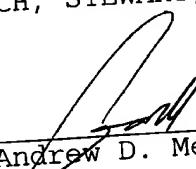
- The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.
- Petition for _____ month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$0.00 for the extension of time.
- No fee is required.
- A check in the amount of \$0.00 is enclosed.
- Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

Appl. No. 09/831,598

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Andrew D. Meikle, #32,868

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

(Rev. 04/30/03)

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Attachment(s)



#15
9-22-03
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REPLY TO UNITY OF INVENTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 15, 2003
(Monday)

Sir:

The claims of the present application have been subjected to a Unity of Invention Requirement dated August 13, 2003 as follows.

Group I, claims 1 and 2, directed to an azeotropic composition product; and

Group II, claims 3-13, directed to a process for obtaining the azeotropic composition product of the claims of Group I and further purifying this product to obtain one of the components therein.

Response to Unity of Invention Requirement

In response to the above-noted Unity of Invention Requirement, Applicants hereby elect the claims of Group I, i.e. claims 1 and 2, with traverse.

Traversal of Unity of Invention Requirement

The Unity of Invention Requirement is respectfully traversed. First, it is noted that no Unity of Invention Requirement issued in connection with the international phase of the PCT application. Second, it is submitted that the present situation is analogous to Example 1 in the Administrative Instructions under the PCT Annex B, Part 2, Examples Concerning Unity of Invention, Example 1. In Example 1 (page AI-67 of the MPEP), the method of manufacturing a chemical substance, the use of the substance, and the substance itself were separately claimed and it is concluded that unity exists for all of these three claims, since the "special technical feature" common to all the claims is the substance. In the present situation, the special technical feature common to both the claims of Groups I and II is the azeotropic composition which is claimed as a product in the claims of Group I and which is produced and further purified in the claims of Group II. Consequently, it is requested that the Unity of Invention Requirement be withdrawn.

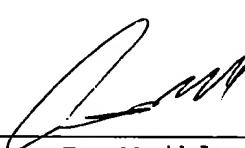
If any questions remain regarding the above matters, please contact Applicants' representative, Andrew D. Meikle, in the Washington Metropolitan area at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


Andrew D. Meikle, #32,868

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